



JC10 Rec'd PCT/PTO 28 APR 2005

Docket No.: 066741-0043

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : BLOCK, Andreas

Customer No.: 41552

Appl. No. : 10/511,237

Confirmation No.: 9267

Filed : April 8, 2003

Title : RECOMBINING VIRAL VECTORS  
FOR THE TETRACYCLINE-  
REGULATED EXPRESSION OF  
GENES

Grp./A.U. : To Be Assigned

Examiner: : To Be Assigned

**CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)**

"Express Mail" Mailing Label Number EV 603382680 US

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Apr 28, 2005.

*LaTangila Dennis*  
LaTangila Dennis

**RESPONSE TO NOTICE  
OF MISSING PARTS OF APPLICATION**

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated February 28, 2005,  
submitted herewith are the following for filing in the above-referenced application:

1. A copy of the Notice to File Missing Parts.
2. Declaration (which is in compliance with 37 CFR 1.63)
3. Power of Attorney for Patent Application by Assignee.
4. Statement Under 37 C.F.R. 3.73(b) with a copy of Assignment.
5. Paper copy of sequence listing pages 1 through 21.
6. Computer readable copy of sequence listing.

7. Statement Under 37 C.F.R. § 1.821(f) and (g).

8. Late Filing Fee Surcharge of \$130.00.

Please charge Deposit Account No. 502624 in the amount of \$130.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Deborah L. Cadena

Registration No. 44,048

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Phone: 858.535.9001 DLC:jrl  
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**Date: April 28, 2005**

SDO 29875-1.066741.0043

**Please recognize our Customer No. 41552  
as our correspondence address.**

05/04/2005 GFREY1 00000095 502624 10511237

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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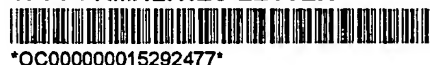
U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,237	Andreas Block	66741-043

Astrid R Spain  
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San Diego, CA 92122-1252

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INTERNATIONAL APPLICATION NO.	
PCT/EP03/03638	
LA. FILING DATE	PRIORITY DATE
04/08/2003	04/15/2002

CONFIRMATION NO. 9267  
371 FORMALITIES LETTER



\*OC000000015292477\*

Date Mailed: 02/28/2005

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Biochemical Sequence Listing filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Priority Documents filed on 10/12/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the international application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date. 1.492(e) is required.

**SUMMARY OF FEES DUE:**

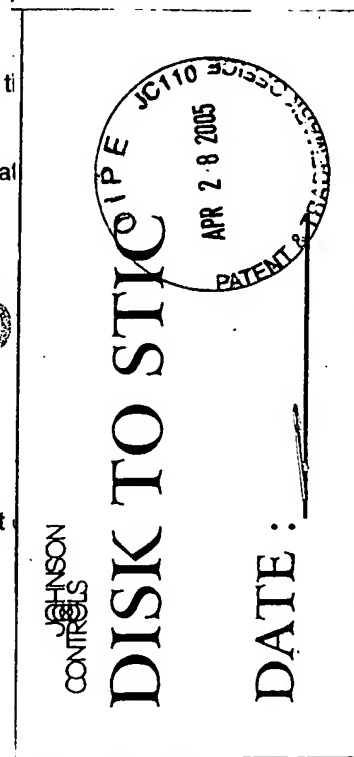
Total additional fees required for this application is \$130 for a Large Entity:

DO

- \$130 Late oath or declaration Surcharge.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not



the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,237	PCT/EP03/03638	66741-043